MT LEGISLATIVE HISTORY

Chapter 96 19 74

Bill H _____ (S) 495 Original bill & hist. ___C

H. Committee on Business & Industry		S. Committee on Business & Industry	
Hearing Date(s) Feb 25	✓C	Hearing Date(s) Jan 11	✓C
_____	___C	Jan 16	✓C
_____	___C	Jan 23	✓C
_____	___C	_____	___C
Date Out _____	___C	_____	___C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

January 11, 1974

The first meeting of the Business and Industry Committee was called to order by Chairman DeWolfe on the above date in Room 415 of the State Capitol Building at 11 a.m.

ROLL CALL: All members were present with the exception of Senator Drake who was excused.

CONSIDERATION OF SENATE BILL 480: Packaging of meat and meat products--visibility of.

Rod Gudgel, Montana Retail Association, appeared in favor of the bill. Francis Rauci and Alan Schubert, Buttrey Food Store, appeared opposing the bill, and also supplied written material. (attached)

Two other witnesses, Tom Haines and Vernon E. Sloulin appeared neither opposing or supporting the bill. Roger Tippy, researcher, from Legislative Council was assigned to the committee.

CONSIDERATION OF SENATE BILL 495: Requiring insured personal property losses to be computed at the valuation stated in the policy.

DISPOSITION OF SENATE BILL 495:

Senate Bill 495 was deferred until Wednesday, January 16, committee meeting, motion made by Senator Hazelbaker, seconded by Senator Shea.

CONSIDERATION OF SENATE BILL 512: Relating to life insurance policy loan provisions.

DISPOSITION OF SENATE BILL 512:

Senate Bill 512 was deferred until the committee meets on Wednesday.

CONSIDERATION OF SENATE BILL 514: Prohibition against discrimination for loaning money or advancing credit.

Senator Carl, author of the bill testified in its behalf. A motion to place the bill in a subcommittee was made by Rosell and seconded by Lowe. The committee decided to defer action until Wednesday's meeting. The chairman of the sub committee is Senator Rosell with Senator Lowe and Senator Drake as sub committee members. The sub committee will report on Senate

ROLL CALL

BUSINESS AND INDUSTRY COMMITTEE

SECOND HALF - 43rd LEGISLATIVE SESSION 1974 Date 1-11-74

NAME	PRESENT	ABSENT	EXCUSED
Vice-Chairman Gordon McGowan	X		
Fred Broeder	X		
Jack DeVine	X		
Miles Romney	X		
Frank Hazelbaker	X		
Glen Drake			X
P. J. Keenan	X		
William Lowe	X		
Jimmy Shea	X		
Antoinette Rosell	X		
Chairman Percy DeWolfe	X		

Each day attach to minutes

Commission stated that life insurance is not sold to be borrowed again. Phil Bird, Hendrickson and Bird also spoke in support of the bill.

CONSIDERATION OF SENATE BILL 495: Requiring insured personal property losses to be computed at the valuation stated in the policy.

DISPOSITION OF SENATE BILL 495: Senator Hazelbaker made a motion that the bill be deferred and it was seconded by Broeder.

CONSIDERATION OF SENATE BILL 504: Montana Small Business Purchasing Act.

Herb Richards, Life of Montana Insurance Company suggested a proposed amendment.

DISPOSITION OF SENATE BILL 504: Senator Drake made a motion to amend the bill on page 2, line 17 which was seconded by Senator McGowan. Senate Drake made a motion to further amend the bill and seconded by Senator Rosell. (see standing committee report) Senator Shea motioned that Senate Bill 504 be deferred and Senator Broeder seconded the motion.

DISPOSITION OF SENATE BILLS:

Senate Bill 518 was deferred until the next meeting, motion made by Senator Shea and seconded by Senator McGowan.

CONSIDERATION OF SENATE JOINT RESOLUTION 47: Directing the state of Montana to investigate the petroleum industry in Montana.

DISPOSITION OF SENATE JOINT RESOLUTIONS:

Senator Shea made a motion to defer Senate Joint Resolution 47 until a later date. Senator Goodheart seconded the motion.

DISPOSITION OF SENATE BILLS:

Senate Bill 518 was motioned to call for a roll call vote by Senator Rosell and seconded by Senator Lowe, DO PASS (attached roll call vote), motion killed, 2 Senators voted yea.

Senator DeVine motioned the bill DO PASS and seconded by Senator Broeder, motion carried. Time: 12:30 p.m.

ADJOURN: There being no further business, the meeting was adjourned at 1:00 p.m.

ROLL CALL

BUSINESS AND INDUSTRY COMMITTEE

SECOND HALF - 43rd LEGISLATIVE SESSION 1974 Date 1-16-74

NAME	PRESENT	ABSENT	EXCUSED
Vice-Chairman McGowan	X		
Fred Broeder	X		
Jack DeVine	X		
B. J. Goodheart	X		
~~Miles Romney~~			
Frank Hazelbaker	X		
Glen Drake	X		
P. J. Keenan	X		
~~William Lowe~~	X		
Jimmy Shea	X		
Antoinette Rosell	X		
Chairman Percy DeWolfe	X		

Each day attach to minutes

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

January 23, 1974

The fifth meeting of the Business and Industry Committee was called to order by Chairman DeWolfe on the above date in Room 415 of the State Capitol Building at 11 a.m.

ROLL CALL: All members were present with the exception of Senator Drake who was excused.

CONSIDERATION OF SENATE BILL 514: Prohibiting against discrimination for loaning money or advancing credit.

Senator Carl, author, spoke in behalf of the bill and introduced Mr. Socs Vratis, Montana Retail Association, who explained the amendments and asked that they be made part of the bill.

DISPOSITION OF SENATE BILL 514:

Senator Rosell made a motion that the amendments be adopted and Senator McGowan seconded the motion. Senator Rosell made a motion that the bill DO PASS AS AMENDED and Senator Hazelbaker seconded the motion. Motion carried.

CONSIDERATION OF SENATE BILL 480: Packaging of meat and meat products.

DISPOSITION OF SENATE BILL 480:

Senator McGowan made a motion that the bill be deferred until Monday and Senator Lowe seconded the motion. Motion carried.

CONSIDERATION OF SENATE BILL 495: Requiring insured personal property losses to be computed at the valuation stated in the policy.

Senator Hazelbaker, author of the bill, stated that he thought the insurance companies should pay what they name the item for. He also stated that you should insure an itme for at least 80% of its value, personal property value.

DISPOSITION OF SENATE BILL 495:

Senator Shea moved that the bill DO PASS and Senator Rosell seconded the motion.

ROLL CALL

BUSINESS AND INDUSTRY COMMITTEE

SECOND HALF - 43rd LEGISLATIVE SESSION 1974 Date 1-23-74

NAME	PRESENT	ABSENT	EXCUSED
Vice-Chairman McGowan	X		
Fred Broeder	X		
Jack DeVine	X		
B. J. Goodheart [redacted]	X		
Frank Hazelbaker	X		
Glen Drake			X
P. J. Keenan	X		
William Lowe	X		
Jimmy Shea	X		
Antoinette Rosell	X		
Chairman Percy DeWolfe	X		

Each day attach to minutes

BUSINESS AND INDUSTRY COMMITTEE

1974 Legislature

Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
HB 1100	Retail sale of wine, providing for licensing of retailers and sale of wine to retailers.	1/24/74	Greely	2/6/74	To Bills Coordinator	1/31/74
HR 46	Undertake a comprehensive investigation of future transportation priorities.	1/29/74	Hager	2/11/74	AS SO AMENDED DO PASS	2/11/74
SJR 50	Repeal code concerning monetary penalty for late renewal of certified pharmacy license.	1/31/74	James	2/4/74	BE CONCURRED IN	2/4/74
SB 495	Require insured personal property losses to be computed at the valuations stated in the policy when such valuations affect the premium.	1/31/74	Hazelbaker	2/25/74	AS SO AMENDED BE CONCURRED IN	2/25/74
SB 524	Govern, control & prevent the sale, offering for sale, barter or giving away of baby chickens, ducklings, or other fowl under 3 weeks of age.	2/4/74	Hall	2/22/74	AS SO AMENDED BE CONCURRED IN	2/22/74

BUSINESS AND INDUSTRY COMMITTEE

February 25, 1974

The Business and Industry Committee meeting was called to order this date at 10:30 a.m. with Chairman Mehrens presiding. Members absent included Reps Driscoll, Harper, Lockrem, Mercer and Swanberg.

SB 560 - Senator Harrison, chief sponsor, spoke in favor of this bill. He stated that it would repeal the limits which are imposed on group life insurance which can be written in the State of Montana. Montana is the last State to make the repeal. Phil Bird also spoke in favor of this bill. There were no opponents.

SB 710 - Senator Drake, chief sponsor, spoke in favor of this bill and submitted an amendment on page 25, line 18, by omitting the material "(7)." and inserting in lieu thereof the material "(8)". Other proponents included Josephine M. Driscoll (see attachment), Senator Hazelbaker and Phil Bird. There were no opponents.

SB 495 - Senator Hazelbaker, chief sponsor, spoke in favor of this bill. John Risken, American Insurance Assn, submitted an amendment on page 1, section 1, line 13, after the word "insure" by inserting the following words "specific listed items of". Chad Smith, American Mutual Insurance Alliance, wanted to amend the bill to "except policies on depreciable items.

SB 560 - Rep Kessner moved that SB 560 BE CONCURRED IN. Rep Aageson seconded and the motion passed. Rep Kessner will carry it on the floor.

SB 710 - Rep Regan moved to adopt the amendment. The motion carried. Rep Regan moved that SB 710 AS SO AMENDED BE CONCURRED IN. The motion passed with Reps Rolfe, Aageson, Selstad and Kessner voting no. Rep Regan will carry it on the floor.

SB 495 - Rep Aageson moved the adoption of the amendment. Rep Quilici seconded and the motion carried. Rep Lien moved that SB 495 AS SO AMENDED BE CONCURRED IN. Rep Hageman seconded and the motion carried with Reps Kessner and Selstad voting no. Rep Lien will carry it on the floor.

The meeting adjourned at 11:26.

Sandy Mehrens

Sandy Mehrens, Chairman

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compensation plan No. 1, by delivering said notice to the board of directors of the employer.

(2) If the employer has elected to be bound by the provisions of compensation plan No. 2, by delivering said notice to the board of directors of the employer or the insurer.

(3) If the employer has elected to be bound or is bound by the provisions of compensation plan No. 3, by delivering said notice to the *division of workmen's compensation.*

(4) The appointment or election of an officer of a corporation for the purpose of excluding an employee from coverage under the act shall not entitle such officer to elect not to be bound as an employee under the act.

In any case, the notice shall be signed by the officer under oath or equivalent affirmation and is subject to the penalties for false swearing.

(5) The division shall review any officers of private corporation's election not to be bound as an employee to assure compliance with this act."

Approved March 11, 1974

CHAPTER NO. 96

AN ACT REQUIRING INSURED PERSONAL PROPERTY LOSSES TO BE COMPUTED AT THE VALUATIONS STATED IN THE POLICY WHEN SUCH VALUATIONS AFFECT THE PREMIUM.

Be it enacted by the Legislature of the State of Montana:

Section 1. There is a new section to be numbered 40-4303, R.C.M. 1947, which reads as follows:

40-4303. **Personal property — when loss computation to be based on specific valuation.** This section applies to policies, except motor vehicle insurance policies, which insure specific listed items of personal property against any loss or damage. If the insurer places specific valuations upon particular items of covered property and bases the premium charge on these valuations, then he shall compute any loss or total damage to the property, when covered, at the stated valuation with no deductions or offsets. An insurer who wishes to vary this requirement and use a different method for computation of loss, the policy and any application for such a policy shall set forth in type of prominent size the actual method of loss computation to be employed.

Approved March 11, 1974

CHAPTER NO. 97

AN ACT AUTHORIZING THE BOARD OF NURSES TO LICENSE

REGISTERED NURSES AS MIDWIVES, AND AMENDING SECTION 66-1012, R.C.M. 1947.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 66-1012, R.C.M. 1947, is amended to read as follows:

"66-1012. **Practice of medicine defined—exemptions from licensing requirements.** (1) For the purpose of this act the term "practice of medicine" shall mean:

(a) the practice of medicine by any person shall mean the diagnosis, treatment or correction of, or the attempt to, or the holding of oneself out as being able to diagnose, treat or correct any and all human conditions, ailments, diseases, injuries or infirmities, whether physical or mental, by any means, method, devices or instrumentalities.

If any person who does not possess a license to practice medicine within this state, as in this act provided, and who shall not be exempted from the licensing requirements hereunder, shall do any of the acts hereinabove mentioned as constituting the practice of medicine, he shall be deemed to be practicing medicine without complying with the provisions of this act and in violation thereof.

(2) Nothing herein shall be construed to prohibit, or to require a license hereunder with respect to, any of the following acts:

(a) the gratuitous rendering of services in cases of emergency and catastrophe or either of them;

(b) the rendering of services in this state by a physician lawfully practicing medicine in another state or territory, provided, that if any such physician does not limit such services to an occasional case or if he has any established or regularly used hospital connections in this state or if he maintains or is provided with, for his regular use, any office or other place for the rendering of such services, he must possess a license to practice medicine in this state;

(c) the practice of dentistry under the conditions and limitations defined by the laws of this state as now or hereafter enacted;

(d) the practice of chiropody (podiatry) under the conditions and limitations defined by the laws of this state as now or hereafter enacted;

(e) the practice of optometry under the conditions and limitations defined by the laws of this state as now or hereafter enacted;

(f) the practice of osteopathy under the conditions and limitations defined in sections 66-1401 to 66-1413, inclusive, of the Revised Code of Montana, 1947, as amended or as hereafter amended, for those doctors of osteopathy who do not receive a physician's certificate under this act;

(g) the practice of chiropractic under the conditions and limitations defined by the laws of this state as now or hereafter enacted;

(h) the practice of Christian Science, with or without compensation; and ritual circumcisions by rabbis;